

Appl. No.: 09/851,404
Amdt. dated 06/22/2005
Reply to Official Action of March 25, 2005

Amendments to the Drawings:

In view of the Official Action's objection to the drawings as including two drawings labeled FIGURE 11, the attached replacement drawing sheet, which includes FIGURE 10, deletes the first drawing labeled FIGURE 11. Applicants respectfully submit that the content of the deleted instance of FIGURE 11 is also found in Table 1 spanning pages 10 and 11 of the specification.

Attachment: Replacement Sheet (FIGURE 10)

REMARKS/ARGUMENTS

Applicants again appreciate the thorough examination of the present application, as evidenced by the second Official Action. The second Official Action objects to the specification of the present application as including an incorporated reference that may need to be updated, as well as including embedded hyperlinks. In addition, the second Official Action objects to the drawings as including two drawings labeled FIGURE 11. In response, Applicants respectfully submit that the application incorporated by reference, U.S. Patent Application No. 09/745,289, remains pending in the Patent Office, and accordingly, should not require updating at this time. At such time as the '289 application issues, Applicants will plan to attend to updating the reference in the specification. However, Applicants have amended the specification to remove the embedded hyperlinks, as well as amended the drawings to remove the first instance of FIGURE 11. As to the removal of the first instance of FIGURE 11, Applicants respectfully submit that the content of the deleted instance of FIGURE 11 is also found in Table 1 spanning pages 10 and 11 of the specification.

The second Official Action also rejects Claims 1, 14, 22, 24, 25, 29 and 36-42 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,775,689 to Raghunandan; and rejects Claims 15-17 and 35 under 35 U.S.C. § 103(a) as being unpatentable over the Raghunandan patent. In addition, the Official Action rejects Claims 2-13, 19-21, 23, 26-28 and 30-34 under 35 U.S.C. § 103(a) as being unpatentable over the Raghunandan patent in view of various combinations of U.S. Patent No. 6,161,140 to Moriya, the article Wei-Ying Ma et al., *A Framework for Adaptive Content Delivery in Heterogeneous Network Environments*, presented at Multimedia Computing and Networking (MMCN00), San Jose, California, USA, 2000 (hereinafter referred to as the "Ma publication"), and U.S. Patent No. 6,300,947 to Kanevsky.

Applicants respectfully submit that the claimed invention of the present application is patentably distinct from the Raghunandan patent, Moriya patent, Ma publication and Kanevsky patent, taken individually or in combination. Nonetheless, to advance prosecution of the present application, Applicants have amended independent Claims 1, 36, 38, 41 and 42, as well as dependent Claim 14, to more clearly define the claimed invention. In this regard, Applicants have amended independent Claims 1, 36, 38, 41 and 42 to recite that the different order of

presentation enabled by the reorganization information is adapted based upon a performance capability of a display of a target device. In addition, Applicants have added new Claims 43-55 to claim further patentable features of the invention. As explained below, Applicants respectfully submit that the claimed invention of amended and new independent Claims 1, 36, 38, 41, 42 and 53, and by dependency Claims 2-17, 19-35, 37, 39, 40, 43-52, 54 and 55, is patentably distinct from the Raghunandan patent, Moriya patent, Ma publication and Kanevsky patent, taken individually or in combination. And as new dependent Claims 43-52, 54 and 55 recite subject matter similar to that of dependent Claims 14 (similar to Claim 43), 15 (similar to Claim 44), 17 (similar to Claim 45), 19 (similar to Claims 46, 49, 51 and 54), 20 (similar to Claims 47, 50, 52 and 55) and 21 (similar to Claim 48), Applicants respectfully submit that the claimed invention of new dependent Claims 43-52, 54 and 55 are patentably distinct from the cited references for at least the same reasons as dependent Claims 14, 15, 17, 19, 20 and 21, as explained below. Thus, in light of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

I. Claims 1, 14-17, 22, 24, 25, 29 and 35-42 are Patentable

Currently pending Claims 1, 14-17, 22, 24, 25, 29 and 35-42 stand rejected as being anticipated by or unpatentable over the Raghunandan patent. In this regard, the Raghunandan patent provides a system for restructuring selected parts of email messages prior to transmission to a plurality of recipients. As disclosed, email messages are constructed to include user-supplied transmission control directives and email content segment identifiers such that the directives can be applied to restructure the email contents by transmitting selected segments to selected recipients in identified lists. As also disclosed, selected segments of the content can be reordered in a defined sequence prior to transmission. Further, selected identified corresponding segments from a plurality of email messages can be merged, and transmitted to selected recipients in identified recipient lists, where, if so desired, with the merged segments are reordered in a defined sequence prior to transmission.

Amended independent Claim 1 of the present application recites a method that includes receiving an electronic document represented by serial data, the serial data including content of the document and defining an order in which respective portions of the content are to be presented on a display for viewing. After receiving the serial data representing the electronic document, the serial data is analyzed. Reorganization information for use in delivering the portions of the content is then generated. In this regard, the reorganization information enables presentation of the portions in an order different from the order defined by the serial data where, as amended, the different order of presentation is adapted based upon a performance capability of a display of a target device.

In contrast to the method of amended independent Claim 1, the Raghunandan patent does not teach or suggest generating reorganization information for reordering portions of the document, where the different order is adapted based upon a performance capability of a display of a target device. As explained above, the Raghunandan patent discloses that email messages can be segmented such that selected segments of the message can be transmitted to selected recipients in identified lists, where the selected segments can be reordered prior to transmission. In this regard, the Raghunandan system permits an email sender to specify the recipients of selected segments of an email message, as well as the order with which those recipients receive the selected segments. Thus, the Raghunandan patent discloses that an email sender can reorder segments of an email message based upon the recipients of the email message (e.g., technical review team for technology 1, technical review team for technology 2, and technology review team for technology 3 – see example II). Nowhere does the Raghunandan patent teach or suggest that the order of presenting the segments of an email message is based upon, or has any relation to, the performance capability of the displays of the devices of the recipients, similar to the manner of ordering of portions of a document in the method of amended independent Claim 1.

Applicants therefore respectfully submit that the claimed invention of amended independent Claim 1, and by dependency Claims 14-17, 22, 24, 25, 29 and 35, is patentably distinct from the Raghunandan patent. Applicants also respectfully submit that amended independent Claims 36, 38, 41 and 42, and by dependency Claims 37, 39 and 40, recite subject

matter similar to that of amended independent Claim 1, and are therefore patentably distinct from the Raghunandan patent, for at least the same reasons given above with respect to amended independent Claim 1. In this regard, amended independent Claims 36, 38, 41 and 42, and by dependency Claims 37, 39 and 40, recite generating reorganization information for reordering portions of the document, where the different order is adapted based upon a performance capability of a display of a target device, as recited in amended independent Claim 1.

In addition to the reasons given above, Applicants respectfully submit that various ones of dependent Claims 14-17, 22, 24, 25, 29, 35, 36, 38, 41 and 42 recite further features patentably distinct from the Raghunandan patent.

A. Dependent Claims 15, 16 and 17

For example, as explained above, amended independent Claim 1 provides a method that includes generating reorganization information, where the reorganization information enables presentation of the portions of a document in an order different from the order defined by the serial data representing the document. Dependent Claims 15 and 16, and dependent Claim 17, then, provide different means by which the reorganization information enables presentation of the portions in a different order. More particularly, as recited in dependent Claims 15 and 16, the reorganization information includes a hyperlink displayed near the beginning of the document, where the hyperlink points to a portion of the content that appears later in the original order. The hyperlink thereby enables presentation of the later portion before those portion(s) of the document between the hyperlink and the respective later portion (i.e., presentation of the portions in an order different from the order defined by the serial data). As recited in dependent Claim 17, on the other hand, the reorganization information causes automatic redirection from the first portion of the content to a later portion when the document is opened for presentation. As such, the reorganization information enables presentation of the later portion before at least the first portion.

While the second Official Action concedes that the Raghunandan patent does not teach or suggest the features of dependent Claims 15 and 16, or dependent Claim 17, the Official Action alleges that those features are well known in web page construction, and that it would have been

obvious to include them in the Raghunandan system to provide the benefit of taking the recipient to a specific location within the hypertext document, or to redirect the user from one location on a web page to a different location. Applicants respectfully submit, however, that even if including a hyperlink in a document pointing to later portion of the document as in Claims 15 and 16, or automatically redirecting to a later portion of the document as in Claim 17, is well known in web page construction, it would not have been obvious to have generated reorganization information as such in the context of the claimed invention.

As disclosed by the Raghunandan patent, segments of an email message are reordered, and then transmitted to a selected recipient. As such, the Raghunandan system enables presentation in a different order by actually reordering the segments of the email message, as opposed to including a hyperlink as in Claims 15 and 16, or causing automatic redirection as in Claim 17. More particularly, the Raghunandan system has no need to include a hyperlink to a later portion as recited in Claims 15 and 16, or automatically redirect to a later portion as recited in Claim 17, since the Raghunandan system would instead reorder the later portion to an earlier portion of the email message.

B. Dependent Claim 35

Applicants respectfully submit that the Raghunandan patent does not teach or suggest analyzing serial data of an electronic document including counting characters of text, as recited by dependent Claim 35. Although the Official Action concedes as much, the Official Action alleges that it would have been obvious to modify the Raghunandan system to count characters of text to provide the benefit of determining character lengths of portions of text in the document to compute what text will fit on a given display. In contrast to this assertion, however, Applicants respectfully submit that one skilled in the art would not have been so motivated to modify the Raghunandan system. In this regard, although the Raghunandan patent discloses delivering selected segments of an email message to selected recipients, where the segments may be reordered prior to delivery, nothing in the Raghunandan patent teaches or suggests processing email messages in any manner based upon displays of the selected recipients such that one skilled in the art would be motivated to count characters of text to compute the text that would fit

on a given display. Moreover, as merely computing what text will fit on a given display does not benefit the segmenting of a document or delivering segments of a document to selected recipients, Applicants question whether such a computation would even benefit Raghunandan system.

Accordingly, in view of the foregoing remarks, Applicants respectfully submit that the claimed invention of Claims 1, 14-17, 22, 24, 25, 29 and 35-42 is patentably distinct from the Raghunandan patent, and as such, the rejections of those claims as being anticipated by or unpatentable over the Raghunandan patent is overcome.

II. Claims 2-10 are Patentable

Currently, pending Claims 2-10 stand rejected as being unpatentable over the Raghunandan patent in view of the Moriya patent. As explained above, the Raghunandan patent does not teach or suggest generating reorganization information for reordering portions of the document, where the different order is adapted based upon a performance capability of a display of a target device, as recited by amended independent Claim 1, and by dependency Claims 2-10. Likewise, Applicants respectfully submit that the Moriya patent does not teach or suggest this feature of the claimed invention. And as neither the Raghunandan patent nor the Moriya patent teach or suggest this feature, the combination of the Raghunandan and Moriya patents also does not teach or suggest this feature. Accordingly, Applicants respectfully submit that the claimed invention of amended independent Claim 1, and by dependency Claims 2-10, is patentably distinct from the Raghunandan and Moriya patents, taken individually or in combination.

In addition, Applicants respectfully submit that various ones of dependent Claims 2-10 recite further features patentably distinct from the Raghunandan and Moriya patents, taken individually or in combination. For example, Applicants respectfully submit that neither the Raghunandan patent nor the Moriya patent, individually or in combination, teach or suggest that the order in which the portions of the content are to be presented includes a two-dimensional layout, as recited by dependent Claim 10. In rejecting dependent Claim 10, the Official Action alleges that the Raghunandan patent discloses a computer including a CPU, memory and I/O devices, and that it would have been obvious to assume that one would have needed to display an

email to effectively interact with the computer, providing the benefit of enabling the user to view their reordered email. Applicants respectfully submit, however, that even taking everything alleged by the Official Action as a given (although expressly not admitted as such), the Official Action has still failed to allege that the Raghunandan patent discloses presenting reordered email in a two-dimensional layout, as recited by dependent Claim 10.

Applicants therefore respectfully submit that, not only is the claimed invention of dependent Claim 10 patentably distinct from the Raghunandan and Moriya patents, the Official Action has failed to establish *prima facie* obviousness of a claimed invention. As stated in the MPEP, all of the elements of a claimed invention must be taught or suggested by the prior art to establish *prima facie* obviousness of a claimed invention. MPEP § 2143.03 (*citing In re Royka*, 490 F.2d 981 (CCPA 1974)). In the instant case, however, the Official Action fails to allege prior art, including the Raghunandan patent or the Moriya patent, individually or in combination, that teach or suggest all of the elements of the claimed invention of the present application. More particularly, for example, nowhere does the Official Action allege any prior art that teach or suggest, individually or in combination, presenting reordered email in a two-dimensional layout, as recited by dependent Claim 10.

Applicants therefore respectfully submit that the rejection of Claims 2-10 as being unpatentable over the Raghunandan patent in view of the Moriya patent is overcome.

III. Claims 11-13, 19-21, 23 and 30-34 are Patentable

Pending Claims 11-13, 19-21, 23 and 30-34 stand rejected as being unpatentable over the Raghunandan patent in view of the Ma publication. As explained above, the Raghunandan patent does not teach or suggest generating reorganization information for reordering portions of the document, where the different order is adapted based upon a performance capability of a display of a target device, as recited by amended independent Claim 1, and by dependency Claims 11-13, 19, 20, 21, 23 and 30-34. Likewise, Applicants respectfully submit that the Ma publication likewise does not teach or suggest this feature of the claimed invention. And as neither the Raghunandan patent nor the Ma publication teach or suggest this feature, the combination of the Raghunandan patent and Ma publication also does not teach or suggest this

feature. Accordingly, Applicants respectfully submit that the claimed invention of amended independent Claim 1, and by dependency Claims 11-13, 19-21, 23 and 30-34, is patentably distinct from the Raghunandan and Moriya patents, taken individually or in combination.

In addition, Applicants respectfully submit that various ones of dependent Claims 11-13, 19-21, 23 and 30-34 recite further features patentably distinct from the Raghunandan patent and Ma publication, taken individually or in combination.

A. Dependent Claims 19 and 20

For example, Applicants respectfully submit that neither the Raghunandan patent nor the Ma publication, individually or in combination, teach or suggest that the different order of presentation is adapted for a display that has a more restricted performance capability, as recited by dependent Claim 19, and by further dependency Claim 20. In rejecting dependent Claim 19, the Official Action alleges that the Ma publication discloses adapting content for display on devices such as mobile phones and PDA's that are different from desktop computers. The Official Action further alleges that it would have been obvious to one skilled in the art to modify the Raghunandan system with the teachings of the Ma publication to provide the benefit of fitting selective information onto a variety of limited devices. Applicants respectfully submit, however, that even if the Ma publication discloses adapting content for display on devices such as mobile phones and PDA's, the combination of the Raghunandan patent and Ma publication still does not teach or suggest the claimed invention of dependent Claim 19, and by further dependency Claim 20.

As explained in response to the first Official Action, the Ma publication discloses a framework for adaptive content delivery in heterogeneous environments that include devices with relatively limited display capability, storage, processing power and network access. In this regard, as defined by the Ma publication, adaptive content delivery relates to "transform[ing] Web content and delivery schemes according to viewers' heterogeneous and changing conditions to enable universal access." Ma Publication at pp. 1-2. The Ma publication discloses five categories of content adaptation technologies that the authors believe are useful for adaptive content delivery. The five categories are summarized in Table 1 of the Ma publication, and

include information abstraction whereby content is compressed, modality transformation whereby content is transformed from one mode (e.g., video) to another (e.g., image), data transcoding whereby content is converted from one format to another, data prioritization whereby portions of content can be delivered based upon a relative priority, and purpose classification whereby redundant content objects can be removed or prioritized. *Id.* at pp. 10-11.

The Ma publication therefore discloses processing content for adaptive delivery to a target device. Separately, the Raghunandan patent discloses that email messages can be segmented such that selected segments of the message can be transmitted to selected recipients in identified lists, where the selected segments can be reordered based upon the respective recipients. At best, then, the combination of the Raghunandan patent and Ma publication discloses reordering selected segments of content based upon recipients of those segments, where the reordered segments are processed in accordance with information abstraction, modality transformation, data transcoding, data prioritization and purpose classification technologies. Thus, even though the reordered segments may be adaptively delivered, the combination still does not teach or suggest that the reordering itself has any relation to the display of the target device, much less a device with a more restricted performance capability. In fact, the combination does not teach or suggest that the reordering is based upon anything other than the recipients of the respective emails, as disclosed by the Raghunandan patent.

B. Dependent Claim 23

Applicants also respectfully submit that neither the Raghunandan patent nor the Ma publication, individually or in combination, teach or suggest that generating the reorganization information includes inserting a link from near the beginning of the first portion of the content to the beginning of the central content portion, as recited by dependent Claim 23. In rejecting dependent Claim 23, the Official Action alleges that the Ma publication discloses a data prioritization technique whereby more important parts of data are distinguished from less important parts. The Official Action further alleges that it would have been obvious to modify the Raghunandan system to include this feature for the benefit of prioritizing data to send the most relevant data. Applicants respectfully submit, however, that even taking everything alleged

by the Official Action as a given (although expressly not admitted as such), the Official Action has still failed to allege that either the Raghunandan patent or the Ma publication, individually or in combination, teach or suggest inserting a link from near the beginning of the first portion of the content to the beginning of the central content portion, as recited by dependent Claim 23. Applicants therefore respectfully submit that, not only is the claimed invention of dependent Claim 23 patentably distinct from the Raghunandan patent and Ma publication, the Official Action has failed to establish *prima facie* obviousness of a claimed invention. See MPEP § 2143.03.

Applicants therefore respectfully submit that the rejection of Claims 11-13, 19-21, 23 and 30-34 as being unpatentable over the Raghunandan patent in view of the Ma publication is overcome.

IV. Claims 26-28 are Patentable

Pending Claims 26-28 stand rejected as being unpatentable over the Raghunandan patent in view of the Kanevsky patent. As explained above, the Raghunandan patent does not teach or suggest generating reorganization information for reordering portions of the document, where the different order is adapted based upon a performance capability of a display of a target device, as recited by amended independent Claim 1, and by dependency Claims 26-28. Likewise, Applicants respectfully submit that the Kanevsky patent does not teach or suggest this feature of the claimed invention. And as neither the Raghunandan patent nor the Kanevsky patent teach or suggest this feature, the combination of the Raghunandan and Kanevsky patents also does not teach or suggest this feature. Accordingly, Applicants respectfully submit that the claimed invention of amended independent Claim 1, and by dependency Claims 26-28, is patentably distinct from the Raghunandan and Kanevsky patents, taken individually or in combination. And as such, Applicants respectfully submit that the rejection of Claims 26-28 as being unpatentable over the Raghunandan patent in view of the Kanevsky patent is overcome.

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CONCLUSION

In view of the amendments to the claims and the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,




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APPENDIX

1. Replacement Sheet (FIGURE 10)